

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**IN RE: PROFEMUR HIP IMPLANT) MDL No. 2949
PRODUCTS LIABILITY LITIGATION) ALL CASES**

ORDER UPON TRANSFER

The Judicial Panel on Multidistrict Litigation has transferred to this Court for centralized pretrial proceedings actions that concern alleged defects in the Wright Medical and Microport Profemur line of modular hip implants, which were offered in titanium and cobalt chromium alloys. Accordingly, the Court orders as follows:

1. This Order shall govern the practice and procedure in those actions transferred to this Court by the Judicial Panel on Multidistrict Litigation (“MDL Panel”) pursuant to its Transfer Order of August 14, 2020, as well as all related actions originally filed in this Court or transferred or removed to this Court. This Order shall also govern the practice and procedure in any tag-along actions transferred to this Court by the MDL Panel and to any related actions subsequently filed in this Court or otherwise transferred or removed to this Court.

2. The actions described in paragraph 1 of this Order are coordinated for pretrial purposes.

3. This case will use the Court's Electronic Case Filing ("ECF") system. All counsel shall register forthwith as an ECF User in this Court and be issued an ECF User ID and password. Forms and instructions can be found on the Court's web site at wwwared.uscourts.gov. All pleadings and papers shall be filed electronically using the Court's ECF system. Service shall be made only through ECF.

4. The Clerk of Court shall issue a new case number to each case transferred to this Court by order of the MDL Panel. **All documents relating to the main case shall be filed only in the main case number 4:20-md-2949 KGB.** All papers filed in these actions shall bear the case identification “4:20-md-2949 KGB,” and when such papers relate to all these actions, the MDL case number shall be followed by the notation “ALL CASES.”

If a document pertains only to an individual case, the documents shall be filed only in the individual cases, not in the main case. Such papers shall bear the case identification “4:20-md-2949 KGB” and the individual case number assigned by the Clerk of this Court to the action to which the paper relates, which shall be listed below the MDL case number. Examples of such

motions include, but are not limited to: motions to withdraw; motions to amend or add a party; and motions to dismiss.

5. Any paper which is to be filed in any of these actions shall be filed only in this MDL case and not with the transferor district court.

6. Counsel who appeared in the transferor district court prior to the transfer need not enter a separate appearance before this Court. Moreover, attorneys admitted to practice and in good standing in any United States District Court are admitted *pro hac vice* in this litigation, and the requirements of Eastern District of Arkansas Local Rule 83.5 are waived. Association of local counsel is not required.

7. Prior to the initial conference, counsel for plaintiffs and counsel for defendants shall, to the extent they have not already done so, confer and seek consensus on the selection of a candidate for the position of liaison counsel for each group who will serve as the primary contact person for the Court regarding administrative matters. Liaison counsel shall be required to maintain complete files with copies of all documents served upon them and shall make such files available to other parties upon request. Liaison counsel are also authorized to receive orders and notices from the MDL Panel pursuant to Rule 8(e) of the Panel's Rules of Procedure on behalf of all parties and shall be responsible for the preparation and transmittal of copies of such orders and notices to all parties.

8. Hearings shall not be held on any motions filed except by order of the Court upon such notice as the Court may direct.

9. Attorneys shall communicate with the Court in writing, copied to opposing counsel.

10. Any orders, including protective orders previously entered by this Court or any transferor district court, shall remain in full force and effect unless modified by this Court upon application.

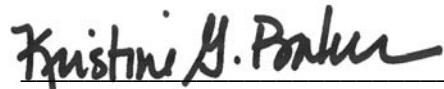
11. Plaintiffs and defendants are granted an extension of time for responding to any pending motions or required pleadings until a date to be set by this Court. Pending the initial conference and further orders of this Court, all outstanding discovery proceedings are stayed, and no further discovery shall be initiated.

12. The Court will be guided by the Manual for Complex Litigation, Fourth, approved by the Judicial Conference of the United States. Counsel are directed to familiarize themselves with that publication.

13. All other matters will be discussed at the initial status conference. The date and time of that initial status conference will be set by separate order.

14. All proceedings will be held in the Richard Sheppard Arnold United States Courthouse located at 500 West Capitol Avenue, Little Rock, Arkansas, Courtroom #4D.

So ordered this 9th day of September, 2020.



Kristine G. Baker
United States District Court Judge